

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hassan PAJOUHESH et al.

Application No.: 10/763,974

Confirmation No.: 7894

Filed: January 22, 2004

Art Unit: 1626

For: N-TYPE CALCIUM CHANNEL BLOCKERS

Examiner: J. Kosack

STATEMENT OF SUBSTANCE OF THE INTERVIEW

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Examiner's Interview Summary of April 12, 2007.

Please enter the following into record:

The Applicants appreciate the courtesy of a telephone interview with the Examiner, which was held with the undersigned, as Applicants' representative, on April 12, 2007. The Applicants' representative initiated a call to the Examiner to inquire about the obviousness rejection that was maintained in the Advisory Action mailed on April 2, 2007. The Examiner indicated that the amendment made in the last response would be entered for purposes of appeal, because it would reduce the issues on appeal. The Applicant discussed how that claim amendment was believed to address the outstanding rejection and how it distinguished the disclosures in the reference at issue (Kuroita). The case law that has been introduced during prosecution by both the Applicants and the Examiner was also discussed as it applies to the instant determination of obviousness. No agreement was reached about which case law standards were applicable and no agreement was

reached about the allowability of any claims. However, the Examiner offered helpful suggestions regarding further evidence that could be provided to support the patentability of the claims, and the discussion helped to clarify certain issues regarding how the obviousness standards might be viewed and applied in the present context. The Applicants are grateful for the Examiner's time and assistance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 381092001600.

Dated: April 16, 2007

Respectfully submitted,

By: /Michael G. Smith/

Michael G. Smith

Registration No.: 44,422

MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
(858) 720-5113